

Staff Anti-Bullying and Harassment Policy

Policy Code:	HR41
Policy Start Date:	September 2022
Policy Review Date:	September 2025

Please read this policy in conjunction with the policies listed below:

- HR9 Positive Handling and Safe Touch Policy
- HR12 Staff Disciplinary Procedure
- HR37 Zero Tolerance Policy
- HR24 Allegations of Abuse Made Against Adults Policy
- HR8A Equal Opportunities and Diversity Policy for Staff
- HR3 Grievance Policy

1 Policy Statement

- 1.1 The Trust is committed to, and has a duty to provide a safe and healthy working environment that is free from bullying and/or harassment or any other behaviour that is objectively personally offensive. All employees and volunteers for The Priory Federation of Academies Trust should be treated with dignity and respect in accordance with the Trust values.
- 1.2 It is important for employees within the Trust to encourage, develop and maintain a culture where all staff treat each other and are treated with dignity and respect.
- 1.3 This policy covers harassment and bullying by staff (which may include consultants, contractors and agency workers) and also third parties such as customers, volunteers, suppliers, or visitors to the Trust's premises.
- 1.4 References to the Trust or Academy within this policy specifically include all primary, secondary and special academies within the Trust, as well as the Early Years setting at the Priory Witham Academy, Priory Apprenticeships and Lincolnshire SCITT.
- 1.5 This policy does not form part of any member of staff's contract of employment and it may be amended at any time.
- 1.6 This policy does not form part of any employee's contract of employment and it may be amended at any time.

2 Roles, Responsibilities and Implementation

- 2.1 The Pay, Performance and HR committee has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. This committee delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Trusts Human Resources Lead.
- 2.2 Leaders and Managers have a specific responsibility to ensure the fair application of this policy, ensure that all staff understand the standards of behaviour expected of them and to take action when behaviour falls below its requirements.
- 2.3 All employees have a personal responsibility for their own behaviour and for ensuring that they comply with the policy. Staff should disclose any instances of harassment or bullying of which they become aware to their line manager or the Trusts Human Resources Lead.

- 2.4 The Trust recognises that, as an employer, it has a duty of care to its employees. The Trust will ensure it provides effective support for anyone facing an allegation and will provide the employee with a named contact if they are suspended.

3 Aims

- 3.1 To ensure a clear framework is set for understanding what constitutes bullying and harassment, the steps all employees should take to maintain a safe and healthy work environment and how to raise allegations of bullying and harassment.
- 3.2 To ensure that employees are aware of options available to them to handle potential bullying or harassment, and that these remain confidential.

4 Bullying

- 4.1 Bullying can be described as unwanted behaviour from a person or group that is either:
- offensive, intimidating, malicious or insulting;
 - an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone.
- 4.2 Bullying can be:
- be a regular pattern of behaviour or a one-off incident;
 - be face-to-face, on social media, in emails or calls;
 - happen at work or in other work-related situations;
 - not always be obvious or noticed by others.
- 4.3 Examples of bullying at work could include:
- spreading malicious rumours about someone;
 - consistently putting someone down in meetings;
 - deliberately giving someone a heavier workload than everyone else;
 - excluding someone from team social events;
 - someone consistently undermining their manager's authority;
 - putting humiliating, offensive or threatening comments or photos on social media.
- 4.4 Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

4.5 Bullying may be classed as harassment, if it is related to certain 'protected characteristics' under discrimination law (Equality Act 2010).

5 Harassment

5.1 Harassment is when bullying or unwanted behaviour may be related to a relevant protected characteristic: age, sex, race, disability, religion, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

5.2 Whether intentional or not, unwanted behaviour is harassment when it violates the person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for the person.

5.3 Harassment may include, for example:

- unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- continued suggestions for social activity after it has been made clear that such suggestions are unwelcome;
- sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;
- outing or threatening to out someone as gay or lesbian;
- offensive e-mails, text messages or social media content; or
- mocking, mimicking or belittling a person's disability.

5.4 A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

6 Process for Allegations of Bullying and/or Harassment

- 6.1 Harassment and bullying can damage the health, confidence, morale and performance of employees who are affected by it. Harassment is unlawful under the equality laws. Harassment and bullying may also be civil or criminal offences and may contravene health and safety law.
- 6.2 Allegations of bullying and or harassment against Trust employees or volunteers will be taken seriously.
- 6.3 Allegations will be dealt with quickly in a fair and consistent way that provides effective protection for the employee and supports the person who is the subject of the allegation.
- 6.4 Employees who feel that they are being bullied or harassed should consider if they can resolve the problem informally first, with the person responsible. The employee should explain clearly that their behaviour is not welcome or makes them feel uncomfortable. Sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease.
- 6.5 If the complainant feels uncomfortable speaking directly to the perpetrator, for whatever reason, they should seek support from their line manager or the Human Resources Department. It can then be established whether a facilitated conversation between the two or more colleagues might resolve the situation or whether further assistance is required.
- 6.6 If informal steps are not appropriate, or have been unsuccessful, the member of staff should follow the formal procedure set out below and/or refer to the Trust's Grievance Policy.
- 6.7 The Trust will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. The Trust will consider whether any steps are necessary to manage any ongoing relationship between the complainant and the person accused during the investigation.
- 6.8 Once the investigation is complete, the Trust will inform the complainant of its decision. If the Trust concludes that the complainant has been harassed or bullied by an employee the matter will be dealt with under the Trust's

Disciplinary Policy as a case of possible misconduct or gross misconduct. If the harasser or bully is a third party, the Trust will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, the Trust will consider how best to manage any ongoing working relationship between the complainant and the person concerned.

7 Protection and Support for those Involved

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under the Trust Disciplinary Policy.

8 Record Keeping

Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

9 Policy Change

This policy may only be amended or withdrawn by the Priory Federation of Academies Trust.

The Priory Federation of Academies Trust

Staff Anti-Bullying and Harassment Policy

This Policy has been approved by the Pay, Performance and HR Committee:

Signed..... Name..... Date:

Trustee

Signed..... Name..... Date:

Chief Executive Officer

Signed..... Name..... Date:

Trusts Member of Staff

Please note that a signed copy of this agreement is available via Human Resources.